

KANSAS CITY, MO. POLICE DEPARTMENT		DATE OF ISSUE	EFFECTIVE DATE	NO.
PERSONNEL POLICY		09-04-02	09-19-02	317-4
SUBJECT			AMENDS	
Policy Series 300: Employee Relations				
317 Suspension of Members				
REFERENCE		RESCINDS		
P.I. Automated Timekeeping		Policy 317-3		
Policies 301, 312, & 418				

I. **DEFINITION**

Paid Suspension – A suspension with pay of any member, sworn or non-sworn, who has been temporarily relieved of duty and vested police authority pending investigation.

Unpaid Suspension – A suspension without pay and allowances of any member, sworn or unsworn, who has been disciplined in accordance with Policy 312, Disciplinary Actions, who is charged in a criminal proceeding, or has pending a termination proceeding before the Board of Police Commissioners.

II. **POLICY**

A. A supervisor or commander may immediately suspend a member pending further action if, in their best judgement, the member's remaining on duty would be detrimental to the member or others, or reflect adversely upon the department.

1. The supervisor/commander will:
 - a. Notify the member of the reasons for the immediate suspension and document the notification.
 - b. Require the member to prepare a Form 191 P.D., Interdepartment Communication, as soon as practical.
 - c. Notify the bureau commander as soon as practical.
2. The bureau commander will notify Personnel Records Section, as soon as possible, when a member is suspended pending further action.

B. A suspended member:

1. **Will not** carry a firearm in a law enforcement capacity and will comply with city ordinances and state statutes pertaining to the carrying of firearms as applicable to other citizens.
2. Will be forbidden to work off-duty jobs that entail the wearing of the police uniform or need for police authority; however, may work jobs which are not related to law enforcement, e.g., carpenter, truck driver, etc.

3. Will retain membership on any department committee, but will not serve on the committee until member returns to duty.
4. Will not participate in in-service training; will be rescheduled upon return to duty.
5. Will not be allowed to participate in the Aerobics Program.
6. If approved to attend a special school (e.g., Southern Police Institute), will not be allowed to attend if the suspension period falls within the scheduled school period. If the suspension period is initiated while the member is attending a department-sponsored school, the Chief of Police shall determine if the member will continue attendance.
7. Will be allowed to participate only in the written examination phase of any promotional process in which the member would normally be eligible to participate. Further participation in the process will be contingent upon recommendation of the Candidate Review Committee and subsequent approval by the Chief of Police.
- * 8. Will cooperate in any investigation if a statement is needed concerning some other matter.

III. **ADMINISTRATIVE ACTIONS**

- * A. The period of time while the member is on *paid* suspension **will** count as creditable service toward retirement. The period of time while the member is on *unpaid* suspension will not count as creditable service toward retirement.
- * B. The anniversary date **will not** be adjusted if the member is on *paid* suspension, but **will** be adjusted if the accumulated *unpaid* suspension time totals eight or more days (sixty-four or more hours) from the date of the member's last anniversary date to the current anniversary date.
- * C. Vacation leave **will** be earned if the member is on paid suspension, but **will not** be earned during *unpaid* suspension time if accumulated suspension days total fifteen or more days (120 or more hours) during the vacation year.
- D. A member on suspension through the end of the calendar year who has vacation leave time remaining may submit a request to receive payment (straight time) for the time, or to have the leave be extended into the following calendar year. The request will be forwarded for final decision by the Chief of Police.
- * E. While a member is on *paid* suspension, daily sick leave accrual **will** be credited to the member's sick leave balance, but **will not** be credited if the member is on *unpaid* suspension. Adjustments to timekeeping records reflecting non-accrual of sick leave will be made automatically at the end of the affected work period(s).

- * F. If member appears in court because a continuance could not be obtained by the Legal Advisor or is called back for a statement concerning some other matter, court time/overtime will be allowed.
 - 1. The member must submit Form 54 P.D., Court Time Voucher, or Form 55 P.D., Overtime Voucher - Other Than Court Time, to element of assignment for each occurrence. The approved form will be forwarded to Personnel Records Section.
- * 2. A member on paid suspension will be paid overtime/court time pay in accordance with the current overtime/court time policy and timekeeping procedures.
- * 3. A member on unpaid suspension will be paid overtime/court time pay.

IV. **PROCEDURES**

A. Upon being suspended, the suspended member will:

- 1. Relinquish, to the supervisor, commander, or other member designated by the Chief of Police, department-issued firearm(s) and/or ammunition, badge, shield, identification card, access card, and other department-owned equipment which a supervisor/commander believes should be relinquished, e.g., computer equipment.
 - a. On a suspension of less than fifteen days (120 hours), items may be placed in a secure location at member's element (designated by the element commander) for safekeeping until the member's return to duty.
 - b. On a suspension of fifteen days (120 hours) or more, department issued firearm(s) and/or ammunition will be delivered to the Supply Section. The badge, shield, identification card, and access card will be delivered to Personnel Records Section, for safekeeping.
- 2. Turn in assigned vehicle, when applicable.
- 3. Have assigned dog placed in the department kennel, when applicable.
- 4. Contact Employee Benefits Unit to determine payment obligations for insurance benefits.
- 5. Contact Police Credit Union and Police Benefit Association to determine the status of insurance benefits and loan obligations, if applicable.
- 6. Contact the department Legal Advisor if member has any type of court appearance scheduled during the suspension period. (Legal Advisor will contact the appropriate prosecutor with a request for continuance.)

- B. Upon return to duty from suspension, the member will respond to their assigned element, Personnel Records Section, or Supply Section, prior to returning to duty to obtain badge, shield, identification card, department-issued firearm(s) and/or ammunition, etc.
- C. The member's supervisor/commander will ensure all department publications distributed during the suspension period are issued upon the member's return to duty.

Richard D. Easley
Chief of Police

Adopted by the Board of Police Commissioners this ____ day of _____, 2002.

Stacey Daniels-Young
President